IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION No. 18858 of 2004

Between:

M/s. Karan Woosin Ltd., A Company incorporated under the companies Act, 1956, Having its registered Office at S.No.321, Kallakal, Gajwel Tq., Medak District rep. by its Manager, Mr.N.C.Reddy.

..... PETITIONER

AND

The Assistant Provident Fund Commissioner, (Authority under Section 14 B of the P.F., Act, 1952), Sub Accounts Office, Ssusheeram Complex, Patancheru 502 319.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus declaring the proceedings No.AP/32431/PD/SAO/PTC/04; dated 07.10.2004 as violative of Article 14 of Constitution of India in the alternative declare para 32A of the E.P.F. Scheme as Contrary to section 14 B of the E.P.F. Act.

Counsel for the Petitioner : Mr.P.BALAJI VARMA

Counsel for the Respondent : MR.R.N.REDDY

The Court at the admission stage made the following :

ORDER:

Heard the learned counsel for petitioner and the learned Standing Counsel for respondent and both of them agreed for disposal of the writ petition finally at the stage of admission.

The petitioner is not disputing the liability for which the Prohibitory Order dated 7.10.2004 under Section 8F of the Employees Provident Fund Act, 1952 is issued, but only seeks indulgence of this Court to pay the said amount by way of instalments.

Having regard to the said submission, the petitioner is permitted to pay a sum of Rs.1,45,862/- to the respondent by the end of October, 2004. On such payment of Rs.1,45,862/-, the respondent shall lift the Prohibitory Order. The petitioner also undertakes to pay the balance amount of Rs.2,00,000/- in two instalments i.e. Rs.1,00,000/- each on 30.11.2004 and 30.12.2004. Meanwhile, no coercive steps shall be taken against the petitioner. In default, the respondent is at liberty to proceed against the petitioner in accordance with law.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

_____

A.GOPAL REDDY, J

Date: 13.10.2004

Note: Issue C.C. by tomorrow.

B/o

DA

To

1. The Assistant Provident Fund Commissioner, (Authority under Section 14 B of the P.F., Act, 1952), Sub Accounts Office, Ssusheeram Complex, Patancheru 502 319.

2 Two CD copies.